

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

IN RE JESSE HERNANDEZ,
Plaintiff.

No. C 12-03951 EJD (PR)
ORDER OF DISMISSAL

On July 27, 2012, Plaintiff filed a letter with exhibits attached alleging misconduct by medical staff at San Quentin State Prison. On the same day, the Clerk sent Plaintiff a notice that he must submit a complaint within thirty days of the notice to avoid dismissal of the action, and provided a copy of the court's form complaint. (Docket No. 3.) Plaintiff was separately sent a notice that he must either pay the full filing fee or file an In Forma Pauperis ("IFP") Application within thirty days to avoid dismissal of the action; a copy of the application was provided. (Docket No. 2.) The deadline has since passed, and Plaintiff has not filed a complaint, nor has he filed an IFP application.

Accordingly, this case is DISMISSED without prejudice for failure to file a complaint or to pay the filing fee.

DATED: 9/21/2012


EDWARD J. DAVILA
United States District Judge

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

IN RE JESSE HERNANDEZ,

Case Number: CV12-03951 EJD

CERTIFICATE OF SERVICE

_____/

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on September 24, 2012, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Jesse Hernandez K21116
P.O. Box 689
Soledad, CA 93960-0689

Dated: September 24, 2012

Richard W. Wieking, Clerk
/s/ By: Elizabeth Garcia, Deputy Clerk